

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 CARLOS M. MCDANIEL,

5 Plaintiff,

6 v.

7 CAROLYN W. COLVIN, Acting
8 Commissioner of Social Security,

9 Defendant.

Case No. 2:14-cv-00994-APG-CWH

**ORDER ACCEPTING REPORT AND
RECOMMENDATION**

(DKT. #19, #22, #24)

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11 On September 17, 2015, Magistrate Judge Hoffman issued a Report and Recommendation
12 (Dkt. #24) recommending I find the administrative law judge (“ALJ”) properly considered the
13 evidence and provided “legally sufficient reasons for rejecting Plaintiff’s testimony as not
14 credible in determining Plaintiff’s [residual functional capacity] and in rendering a final decision
15 in Plaintiff’s case.” (*Id.* at 9.) Judge Hoffman thus recommends that I deny plaintiff Carlos
16 McDaniel’s motion to reverse or remand and grant the defendant’s cross-motion to affirm. (*Id.*)
17 McDaniel did not object to Judge Hoffman’s Report and Recommendation. Nevertheless, I have
18 reviewed the administrative record de novo, and I accept Judge Hoffman’s recommendations.

19 IT IS THEREFORE ORDERED that the Report and Recommendation (Dkt. #24) is
20 **ACCEPTED.**

21 IT IS FURTHER ORDERED that plaintiff Carlos McDaniel’s motion to reverse or
22 remand (Dkt. #19) is **DENIED.**

23 IT IS FURTHER ORDERED that defendant Carolyn W. Colvin’s cross-motion to affirm
24 (Dkt. #22) is **GRANTED.**

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1 IT IS FURTHER ORDERED that the clerk of court shall enter judgment in favor of
2 defendant Carolyn W. Colvin and against plaintiff Carlos McDaniel.

3 DATED this 17th day of November, 2015.



4 ANDREW P. GORDON
5 UNITED STATES DISTRICT JUDGE
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